

PROTECTION OF ATHLETES WITH HEAD INJURIES

2011 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Paul Ray

Senate Sponsor: _____

LONG TITLE

General Description:

This bill enacts the Protection of Athletes With Head Injuries Act within the Utah Health Code.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ requires an amateur sports organization to:
 - adopt and enforce a concussion and head injury policy; and
 - inform a parent or guardian of the policy and obtain the parent's or guardian's signature on the policy before permitting a child to participate in a sporting event;
- ▶ describes the requirements of a concussion and head injury policy;
- ▶ requires removal of a child from a sporting event when the child is suspected of sustaining a concussion or head injury; and
- ▶ prohibits a child described in the preceding paragraph from participating in a sporting event of the amateur sports organization until the child receives medical clearance from a ~~H→~~ **qualified** ~~←H~~ health care provider trained in the evaluation and management of a concussion.

Money Appropriated in this Bill:

None



(4) " ~~Ĥ→~~ [Licensed] Qualified ~~←Ĥ~~ health care provider" means ~~Ĥ→~~ [:

~~(a) a physician or surgeon licensed under:~~

~~(i) Title 58, Chapter 67, Utah Medical Practice Act; or~~

~~(ii) Title 58, Chapter 68, Utah Osteopathic Medical Practice Act;~~

~~(b) a physician assistant, licensed under Title 58, Chapter 70a, Physician Assistant Act;~~

~~or~~

~~(c) an athletic trainer, as defined in Section 58-40a-102.] a health care provider who:~~

(a) is licensed under Title 58, Division of Occupational and Professional

Licensing Act; and

(b) may evaluate and manage a concussion within the health care provider's

scope of practice. ~~←Ĥ~~

(5) "Sporting event" means any of the following athletic activities that is organized, operated, managed, or sponsored by any organization:

(a) a game;

(b) a practice;

(c) a sports camp;

(d) a physical education class;

(e) a competition; or

(f) a tryout.

Section 3. Section **26-53-201** is enacted to read:

Part 2. Concussion and Head Injury Policy

26-53-201. Adoption and enforcement of concussion and head injury policy --

Notice of policy to parent or guardian.

Each amateur sports organization shall:

(1) adopt and enforce a concussion and head injury policy that:

(a) is consistent with the requirements of Section 26-53-301; and

(b) describes the nature and risk of:

(i) a concussion or head injury; and

(ii) continuing to participate in a sporting event after sustaining a concussion or head injury;

(2) ensure that each agent of the amateur sports organization is familiar with, and has a copy of, the concussion and head injury policy; and

(3) before permitting a child to participate in a sporting event of the amateur sports organization:

(a) provide a written copy of the concussion and head injury policy to a parent or legal

guardian of a child; and

(b) obtain the signature of a parent or guardian of the child, acknowledging that the parent or legal guardian has read, understands, and agrees to abide by, the concussion and head injury policy.

Section 4. Section 26-53-301 is enacted to read:

Part 3. Medical Clearance

26-53-301. Removal of child suspected of sustaining concussion or head injury -- Medical clearance required before return to participation.

An amateur sports organization, and each agent of the amateur sports organization, shall:

(1) immediately remove a child from participating in a sporting event of the amateur sports organization if the child is suspected of sustaining a concussion or head injury; and

(2) prohibit the child described in Subsection (1) from participating in a sporting event of the amateur sports organization until the child:

(a) is evaluated by a ~~H→~~ [licensed] qualified ~~←H~~ health care provider who is trained in the evaluation and

management of a concussion; and

(b) provides to the amateur sports organization ~~H→~~ [written clearance] with a written statement ~~←H~~ from the ~~H→~~ [licensed] qualified ~~←H~~

health care provider described in Subsection (2)(a) ~~H→~~ [for the child] stating that:

(i) the qualified health care provider has, within three years before the day on which the written statement is made, successfully completed a continuing education course in the evaluation and management of a concussion; and

(ii) the child is cleared ~~←H~~ to resume participation in the sporting event of the amateur sports organization.

Legislative Review Note
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Office of Legislative Research and General Counsel